

BOARD OF SELECTMEN

Minutes of the meeting of 28 September 2005 at 7:00 PM. The meeting took place in the Court Room, Town and County Building, 16 Broad Street, Nantucket, MA 02554. Members of the Board present were Douglas Bennett, Brian Chadwick, Michael Glowacki, Bruce Watts and Whiting Willauer. Chairman Glowacki called the meeting to order at 7:00 PM.

Announcements. Chairman Glowacki announced that with Board consent, the agenda item for the Review/Update of Harbor Plan would be taken up following Agenda Item III. Nantucket Electric Company representative Joe Carey gave an update on the underground electric cable project including its acceptance of the Town request to provide repair funds rather than schedule these on affected streets so the Town may effect repairs following pending sewer work. Chairman Glowacki announced a 25% design hearing for Bartlett Road Bicycle Path will be held by MassHighway on Thursday, October 6, 2005 at 4:00 PM in the Nantucket High School Cafeteria. Further information is available through the Planning Department at 508 228-7233.

Approval of Minutes of 7 September 2005 at 4:00PM; 14 September 2005 at 7:00PM; 15 September 2005 at 7:00PM. The Board approved the minutes of each meeting in succession by unanimous consent.

Approval of Payroll Warrants for Weeks Ending 18 September 2005 and 25 September 2005. The Board approved the payroll warrants by unanimous consent.

Approval of Treasury Warrant and Pending Contracts for Week Ending 28 September 2005. Mr. Bennett asked about a term definition for one of the pending contracts and Town Administrator Libby Gibson clarified. Mr. Watts moved to approve the treasury warrants and pending contracts. Mr. Chadwick seconded. So voted unanimously.

Town Administrator's Report: Review/Update of Harbor Plan. Ms. Gibson gave background of the Nantucket and Madaket Harbors Action Plan and introduced those involved in the update: Jack Wiggin of the UMass Boston Urban Harbors Institute (UHI), Sarah Oktay of UMass Nantucket Field Station, Truman Hinson of Coastal Zone Management and Dave Fronzuto, Marine Superintendent and Project Manager. Mr. Fronzuto spoke on the 1993 plan and noted meeting dates for public input, both to date and as scheduled. Mr. Wiggin described the UHI harbor plan team and noted the planning area under consideration. He spoke on the purpose and need of the harbor plan, potential issues and approval options. Mr. Hinson outlined Coastal Zone Management responsibilities and distinguished between state and local approvals, noting they basically serve the same purpose with Chapter 91 license decisions being the sole benefit of state approval. Mr. Wiggin noted that either way, the plan will ultimately need Board approval and that direction from the Board is sought on whether or not to seek state approval. Chairman Glowacki invited questions on the presentation, which followed. Chairman Glowacki invited questions from the public. Island resident Christine Silverstein inquired about approval options and if other communities are content with respective plans. The Board thanked the presenters and agreed to take the matter of state approval under consideration.

Traffic Safety Advisory Committee Recommendations. With regard to the first recommendation to change a parking designation, Chairman Glowacki noted a public hearing is required. He recognized TSAC

Chairman Jack Gardner who gave information on the recommendation to change parking limits. Mr. Chadwick moved to schedule a public hearing on October 20, 2005 regarding changing the designation from 2-hour to 1-hour parking on Washington Street from the NRTA bus stop to Coffin Street. Mr. Watts seconded. So voted unanimously. Mr. Gardner explained the recommendation to change Sconset's Center Street parking. Sconset residents Sheila Todd and Pamela Suan spoke against the recommendation. Discussion followed. Mr. Chadwick moved to approve the removal of all but 12 feet of the "no-parking" yellow line along the east side of Center Street at the intersection of Main Street in Sconset, and to remove approximately 20 feet of the "no parking" yellow line along the east side of the street. Mr. Watts seconded. Mr. Chadwick and Mr. Willauer voted in favor of the motion. Mr. Watts and Mr. Bennett voted against the motion. Chairman Glowacki voted in favor. So voted.

Mr. Bennett moved to schedule a public hearing to remove the stop sign at Old South Road and Lover's Lane on November 17, 2005. Mr. Watts seconded. Mr. Bennett, Mr. Willauer and Mr. Watts voted in favor. Mr. Chadwick voted against it. So voted.

On the last item, Chairman Glowacki gave background of a request to expand a portion of sidewalk on Orange Street at Dover, first brought before the Board on September 7, 2005 when it was referred to the Department of Public Works for funding review. Town Administrator Libby Gibson recommended against the TSAC recommendation. Mr. Watts moved to approve the TSAC recommendation to construct a curb and sidewalk extension at the intersection of Orange and Dover Streets using available DPW funds. Mr. Bennett seconded. Mr. Bennett, Mr. Willauer, and Mr. Watts voted in favor; Mr. Chadwick was opposed.

Nantucket Education Trust: Request for Execution of Lease Extension for Town-owned Property at Cow Pond Lane as per Article 69 of 2005 Annual Town Meeting. Ms. Gibson provided background of the request. Doug Williams, Treasurer of the trust, spoke on the current 30-year lease and the need for lease term increase to enable financing. Mr. Chadwick moved to execute the lease extension for Town-owned Property at Cow Pond Lane as per Article 69 of 2005 Annual Town Meeting for the term of 75 years. Mr. Watts seconded. So voted unanimously.

Public Hearing to Review Applications for Committee Vacancies: Human Services Contract Review Committee (continued from 15 September 2005). Chairman Glowacki asked for consent of the Board to schedule an appointment for October 26, 2005. Maryanne Worth, committee coordinator, noted the intense review process will begin soon and requested earlier appointment so the new member could be present. Mr. Bennett and Mr. Willauer concurred. Mr. Bennett moved to appoint Joan Ottinger to the Human Services Contract Review Committee for a three-year term. Mr. Willauer seconded. So voted unanimously.

Public Hearing to Consider Amending Landfill Fee Schedule. Chairman Glowacki noted that this agenda item will be taken up as indicated immediately following agenda item VIII, "Review of the Waste Options Contract."

Finance Committee Report Regarding Funding Options and Cost-Benefit Analysis of Proposed Transportation Center (continued from 14 September 2005). Finance Committee Chairman Rick Atherton indicated that a draft is under revision by the committee to be provided to the Board once the committee meets to finalize it. Mr. Chadwick commented on the importance of the property and moved not to enter into a lease agreement for a small part of the total property and to forward a request to planning for consideration of future uses. Mr. Willauer seconded. Discussion followed. Mr. Willauer and Mr. Chadwick voted in favor. Mr. Bennett, Mr. Watts and Chairman Glowacki voted against the motion. So voted. Chairman Glowacki asked Chairman Atherton how much more time the Finance Committee needs to provide its report. Chairman Atherton said they should be able to provide it by October 6, 2005 for the Board's October 12, 2005 meeting.

NP & EDC Growth Management Update. Planning Director Andrew Vorce gave an update of the 41-81D plan for long-term physical development of property, noting public meetings and website access via www.ackmasterplan.org. He requested Board encouragement of public and department head participation and noted the Board's role in review of expected 2006 town meeting articles to come as relate to the plan. Discussion followed. Chairman Glowacki reviewed upcoming meeting dates.

Town Counsel Request for Selectmen Consideration of Text for Home Rule Petition Referenced in Article 2 of April 12, 2005 Special Town Meeting. Town Counsel Paul DeRensis provided background on the article and explained prepared text to be submitted for legislative review. Discussion followed. Mr. Bennett moved to accept text as presented by Town Counsel and to forward same to the Town's legislators for filing. Mr. Chadwick seconded. So voted unanimously.

Town Administrator's Report: Ms. Gibson noted Annual Town Meeting schedule options and explained her recommendation to switch the weeks of the annual town election and the annual town meeting. Discussion followed. Mr. Chadwick moved to accept the Town Administrator's recommendation to set Annual Town Meeting for the week of April 3, 2006 and to set the Annual Town Election for Tuesday, April 11, 2006. Mr. Bennett seconded. So voted unanimously. Ms. Gibson indicated that calendar revisions would follow.

Selectmen's Reports/Comment: Review of Waste Options Contract. Chairman Glowacki gave an introduction of the review in relation to the Board's adopted goal on infrastructure to adopt a strategy to eliminate the solid waste enterprise fund deficit. He referenced his September 21, 2005 memo to the Board outlining steps necessary for the Board to acquire a broader understanding of Waste Options contract issues and to review the proposed rate increase within that context. Chairman Glowacki suggested that the Board continue the landfill fee public hearing to November 17, 2005 and to allow time on Wednesday meeting agendas to understand the contract and identify the issues and then to identify strategies and solutions as per the memo. Mr. Watts moved to continue the landfill fee public hearing to November 17, 2005 and to adopt the outline as presented in the September 21, 2005 memo to the Board, attached. Mr. Chadwick seconded. So voted unanimously.

Minutes of the Meeting of 28 September 2005 – 7:00 PM

Page IV.

Mr. DeRensis spoke on the "Layman's Guide to the Waste Options Contract" prepared by Attorney Rod Hoffman of his office. Mr. Hoffman gave background of the contract and noted its special points, including specific technology, proprietary concerns, payment requirements, overview by the Department of Environmental Protection, and effects of changes in law. Discussion followed. Waste Options principal Charles Gifford spoke on the potential filling of the lined landfill cell and urged immediate attention based on Waste Options acceptance of construction and demolition materials in excess of the 40-ton per day DEP permitted limit. Discussion followed. Chairman Glowacki invited other comments to be sent to the Board.

At 10:15 PM, Chairman Glowacki polled the Board and Mr. Watts, Mr. Chadwick, Mr. Willauer, Mr. Bennett and Chairman Glowacki voted unanimously to adjourn to Executive Session not to return to Open Session for the purpose of approval of minutes, and discussing litigation and non-union contract negotiations.

Approved the 26th day of October 2005.